

RECEIVED
CENTRAL FAX CENTER

JUN 22 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Matthias KRULL et al.	Docket:	2000DE402D
Serial No.: 10/668,005	Group Art Unit:	1714
Filed: September 22, 2003	Examiner:	Toomer, C.
For:	MULTIFUNCTIONAL ADDITIVE FOR FUEL OILS	

CERTIFICATION OF FACSIMILE TRANSMISSION

Mail Stop: Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office (Fax No.: 1-571-273-8300) on the date shown below:

1. Information Disclosure Statement with Certificate of Transmission (2 pages)
2. PTO-1449 (1 page)
3. Reference (3 references) (78 pages)
4. Cover Letter - Notice of EPO Opposition EP 1 116 780 B1 (1 page)

Total Pages including Certification of Transmission:

82Vicki L. Sgro: 

Date: June 22, 2006

Practitioner's Docket No. 2000DE402/D

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED
CENTRAL FAX CENTER

In re application of: Matthias KRULL

JUN 22 2006

Examiner: Toomer, C.

Application No.: 10/668,005

Group No.: 1714

Filed: 09/22/2003

For:

MULTIFUNCTIONAL ADDITIVE FOR FUEL OILS

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. Sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10*

☐ with sufficient postage as first class mail.☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ transmitted by facsimile to the Patent and Trademark Office (571) 273-8300

Date:

6-22-06

Signature

Vicki Sgro
(type or print name of person certifying)

*WARNING:

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing, 37 C.F.R. section 1.10(b).
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Applicant: Matthias KRULL
Serial No. 10/668,005
Filed 09/22/2003

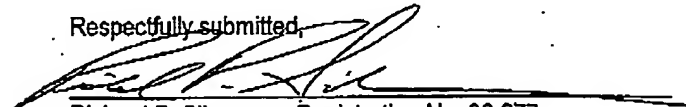
Page 2

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith).

1. ☒ Enclosures accompanying this Information Disclosure Statement are:
 - 1a. ☒ Form PTO-1449 (PTO/SB/08a and/or PTO/SB/08b).
 - 1b. ☒ Copies of Information Disclosure Statement citations.
 - 1c. ☒ PCT or EP Search Report . Cover Letter - Notice of EPO Opposition EP 1 116 780 B1
 - 1d. ☐ Copies of Co-pending U.S. Applications.
2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) with the filing of the U.S. patent application. Accordingly, no fee or §1.97(e) Statement is required.
3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 03-2060.
5. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(e) in that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. Accordingly, no fee is required.
6. ☐ This Information Disclosure Statement is filed in conjunction with a Request For Continued Examination. Accordingly, no fee or §1.97(e) Statement is required.
7. ☐ The English language documents identified by reference in the TRANSLATION Section of the foreign patents list of the attached 1449 Form are believed to be a concise statement, or the equivalent or substantial equivalent to the foreign language documents cited in the attached 1449 Form.
8. ☐ In addition to the documents cited, the Office's attention is directed to the following co-pending U.S. Application Serial Number(s), copies of which are attached for the convenience of the Office:

Respectfully submitted,


Richard P. Silverman, Registration No. 36,277

CUSTOMER NO. 25,255

Clariant Corporation, Industrial Property Department, 4000 Monroe Road, Charlotte, North Carolina 28205
Telephone: 704/331-7156, Facsimile: 704/331-7707

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/APTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/668,005
Filing Date	09/22/2003
First Named Inventor	Matthias KRULL
Art Unit	1714
Examiner Name	Toomer, C.
Attorney Docket Number	2000DE402/D

RECEIVED
CENTRAL FAX CENTER
JUN 22 2006
U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 3,667,152	06/06/1972	ECKERT	
	AB	US- 4,670,516	06/02/1987	SACKMANN	
	AC	US- 4,882,034	11/21/1989	TACK	
	AD	US- 5,376,155	12/27/1994	DRALLE-VOSS	
	AE	US- 5,833,722	11/10/1998	DAVIES	
	AF	US- 5,858,028	01/12/1999	DAVIES	
	AG	US- 20,020,014,034	02/07/2002	BERNASCONI	
	AH	US-			
	AI	US-			
	AJ	US-			
	AK	US-			
	AL	US-			
	AM	US-			
	AN	US-			
	AO	US-			
	AP	US-			
	AQ	US-			
	AR	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	BA	WO 94/17160	08/04/1994	Exxon Chem Pats		<input type="checkbox"/>
	BB	WO 95/03377	02/02/1995	Exxon Chem Pats		<input type="checkbox"/>
	BC	EP 0061894	10/06/1982	Exxon Res.		<input type="checkbox"/>
	BD					<input type="checkbox"/>
	BE					<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind's Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RE: 10/668,005
09/22/2003

MATTHIAS KRUH

2000DE 402 US/D

References for IDS

EPO - Munich
37

26. Mai 2006



Direct Line: 44 1235 549830
Facsimile: 44 1235 549833

European Patent Office
Erhardstrasse 27
D-80298 Munchen
Germany

CONFIRMATION OF FACSIMILE

May 25, 2006

BY FACSIMILE (26 PAGES) AND POST

Dear Sirs

Notice of Opposition to European Patent Application-No.: 00128082.5
(European Publication No.: EP 1 116 780 B1)
Proprietor: Clariant GmbH
Title: "Polyfunctional additive for fuel oils"

Our Ref: OP2005M018

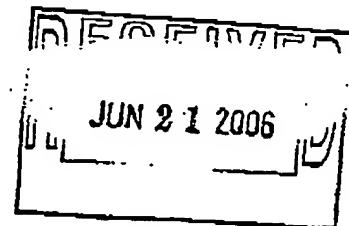
On behalf of Infineum International Limited I hereby give notice of Opposition to the above patent. The Opposition fee is hereby paid with the enclosed fee sheet. I ask for complete revocation of the Opposed Patent in respect of all designated states and in respect of all the claims.

Please find enclosed following documentation:

1. EPO Form 2300.1 (6 pages)
2. Fee Sheet (1 page)
3. Grounds of Opposition against EP 1 116 780 B1 (16 pages)
4. Prior Art References (by post only):

D1: WO 97/04044	✓D9: US 5,998,530
D2: WO 95/03377	✓D10: US 5,186,720
✓D3: WO 96/18708	D11: US 5,376,155
D4: WO 96/18706	✓D12: US 5,391,632
D5: WO 94/17160	D13: US 4,670,516
D6: US 3,667,152	✓D14: US 5,705,603
D7: WO 98/04656	D15: EP 0 061 894
✓D8: US 5,254,652	D16: EP 0 283 293

5. Additional Representatives (1 page)



Infineum UK Limited PO Box 1 Milton Hill Abingdon
Oxfordshire OX13 6BB England
Tel: (44) 01235 549500
<http://www.infineum.com>

Registered in England Number: 1137262 Registered Office: PO Box 1 Milton Hill Abingdon Oxford OX13 6BB England